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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

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9 )  
10 UNITED STATES OF AMERICA, ) CASE NO: **2:17-cr-00376-RFB-CWH-1**  
11 Plaintiff, ) **and**  
12 vs. ) **2:19-cr-000141-RFB-DJA**  
13 ANDRESS COTERO, )  
14 Defendants. ) **STIPULATION TO CONTINUE**  
15 ) **REVOCATION HEARING**  
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IT IS HEREBY STIPULATED AND AGREED, by and between Allison Reese,  
Assistant United States Attorney, and Andress Cotero, by and through his attorney, Rachael E.  
Stewart, that the Revocation of Supervised Release Hearing currently scheduled for November  
30, 2023, at the hour of 8:30 a.m., be continued for a period of at least thirty (30) days, to a date  
and time convenient to this Court.

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1 This stipulation is entered for the following reasons:

2       1. The parties require additional time to prepare for the revocation hearing in this  
3 case. Defense Counsel was recently appointed, and Defense Counsel has learned  
4 about the related case in the state court jurisdiction that needs to be addressed  
5 simultaneously with the current revocation proceedings. The parties are also  
6 engaged in negotiations for a potential joint recommendation.

7       2. Defense Counsel has spoken with Assistant United States Attorney Allison  
8 Reese, and the Government agrees to the continuance.

8       3. Defense Counsel has spoken with defendant Andress Cotero, who is in custody,  
9 and he agrees to the continuance.

9       4. The additional time requested herein is not sought for purposes of delay.

10      5. Denial of this request for a continuance would deny the parties sufficient time to  
11 prepare for the revocation hearing, taking into account the exercise of due  
12 diligence.

13      6. Additionally, denial of this request for continuance could result in a miscarriage  
14 of justice.

15 This is the second stipulation to continue the revocation hearing in this case.

16 DATED this 22nd day of November, 2023

18 Respectfully submitted,

19       /s/ Rachael E. Stewart  
20      Rachael E. Stewart, Esq.  
21      Counsel for Andress Cotero

19       /s/ Allison Reese  
20      Allison Reese, Esq.  
21      Assistant United States Attorney  
22      Counsel for the United States of America

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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

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10 UNITED STATES OF AMERICA, } CASE NO: 2:17-cr-00376-RFB-CWH-1  
11 Plaintiff, } 2:19-cr-00141-RFB-DJA  
12 vs. }  
13 ANDRESS COTERO, } **ORDER TO CONTINUE REVOCATION  
14 Defendants. } HEARING**  
15 } (2nd Request)  
16 }

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17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
19 Court finds that:

- 21 1. The parties require additional time to prepare for the revocation hearing in this  
22 case. Defense Counsel was recently appointed, and Defense Counsel has learned  
23 about the related case in the state court jurisdiction that needs to be addressed  
simultaneously with the current revocation proceedings. The parties are also  
engaged in negotiations for a potential joint recommendation.
- 24 2. Defense Counsel has spoken with Assistant United States Attorney Allison  
Reese, and the Government agrees to the continuance.
- 26 3. Defense Counsel has spoken with defendant Andress Cotero, who is in custody,  
27 and he agrees to the continuance.
- 28 4. The additional time requested herein is not sought for purposes of delay.

1       5. Denial of this request for a continuance would deny the parties sufficient time to  
2                  prepare for the revocation hearing, taking into account the exercise of due  
3                  diligence.  
4       6. Additionally, denial of this request for continuance could result in a miscarriage  
5                  of justice.

6                  **CONCLUSION OF LAW**

7                  The ends of justice served by granting said continuance outweigh the best interests of the  
8                  public and the defense, since the failure to grant said continuance would be likely to result in a  
9                  miscarriage of justice, would deny the defendant sufficient time and the opportunity within  
10                 which to be able to effectively and thoroughly prepare for the revocation hearing, taking into  
11                 account the exercise of due diligence.

12                  **ORDER**

13                  IT IS THEREFORE ORDERED that the Revocation of Supervised Release Hearing  
14                 scheduled for November 30, 2023, at the hour of 8:30 a.m., be vacated and continued to the  
15                 **January 2, 2024 at 9:15 a.m.**

16                  DATED AND DONE this 27th day of November, 2023

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19                  UNITED STATES DISTRICT JUDGE